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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/599,553

09/30/2006

Ian O'Connell

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08/24/2009

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EXAMINER

HOWARD, RYAN D

ART UNIT

PAPER NUMBER

2851

MAIL DATE

DELIVERY MODE

08/24/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/599,553

Applicant(s)

O'CONNELL ET AL.

Examiner

RYAN HOWARD

Art Unit

2851

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 November 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 2, 5-13, 16-18, 25, 27, 34-36 and 43-54 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 1, 2, 5-13, 16-18, 25, 27, 34-36 and 43-54 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

1. Restriction is required under 35 U.S.C. 121 and 372.
2. This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1.

In accordance with 37 CFR 1.499, applicant is required, in reply to this action, to elect a single invention to which the claims must be restricted.

Group I, claim(s) 1-11, 44-45, and 50, drawn to the problem of reducing wrinkles on the partially transparent screen, which is solved by retention members, tensioning straps and fixing means.

Group II, claim(s) 1, 12, 13, 17, and 18, drawn to the problem of correcting keystone distortion in a pepper's ghost arrangement, which is solved by providing an adjustably angled, mirror surface in an optical pathway between the lens of the projector and the pigmented reflective member.

Group III, claim(s) 44 and 46, drawn to the problem of reducing the level of milky white hue associated with the projector emitting light where there is no image of an object to be projected, which is solved by colouring the reflective member grey.

Group IV, claim(s) 1, 12, 16, 18, 44, 47, 50, 53, drawn to the problem of variation of the apparent depth and/or position of an object when projected upon the screen, which is solved by variably inclining, with respect to plane of emission of light from the projector, the pigmented reflective member or sections thereof.

Group V, claim(s) 44, 48, 50, and 54, drawn to problem of masking and/or illuminating props on the stage, which is solved by providing a mask corresponding to the on the pigmented reflective surface.

Group VI, claim(s) 1, 25, 44, and 49 drawn to the problem of masking and/or illuminating props on the stage, which is solved by an LCD arranged to be non-emitting in response to control from a processor.

Group VII, claim(s) 27, 34-36 and 43, drawn to the problem of assembling together and tensioning a screen to a frame in a projection apparatus (not just in a pepper's ghost

arrangement), which is solved by the steps of (i) resting the frame upon a number of elevation means, (ii) attaching leg sections to the frame, (iii) increasing the height of the elevation means, (iv) adding further leg sections and (v) attaching the edge of the screen to frame sections therefor.

3. The inventions listed as Groups I-VII do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical features.

The special technical feature of Group I invention is retention members, tensioning straps and fixing means.

The special technical feature of Group II invention is an adjustably angled, mirror surface in an optical pathway between the lens of the projector and the pigmented reflective member.

The special technical feature of Group III invention is colouring the reflective member grey.

The special technical feature of Group IV invention is variably inclining, with respect to plane of emission of light from the projector, the pigmented reflective member or sections thereof.

The special technical feature of Group V invention is providing a mask corresponding to the on the pigmented reflective surface.

The special technical feature of Group VI invention is an LCD arranged to be non-emitting in response to control from a processor.

The special technical feature of Group VII invention is the steps of (i) resting the frame upon a number of elevation means, (ii) attaching leg sections to the frame, (iii)

increasing the height of the elevation means, (iv) adding further leg sections and (v) attaching the edge of the screen to frame sections therefor.

4. **Applicant is advised that the reply to this requirement to be complete must include (i) an election of a invention to be examined** even though the requirement may be traversed (37 CFR 1.143) **and (ii) identification of the claims encompassing the elected invention.**

The election of an invention may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse. Traversal must be presented at the time of election in order to be considered timely. Failure to timely traverse the requirement will result in the loss of right to petition under 37 CFR 1.144. If claims are added after the election, applicant must indicate which of these claims are readable on the elected invention.

If claims are added after the election, applicant must indicate which of these claims are readable upon the elected invention.

5. A telephone call was made to Attorney Jeffrey Hsu on 8/19/09 to request an oral election to the above restriction requirement, but did not result in an election being made.

6. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RYAN HOWARD whose telephone number is (571)270-5358. The examiner can normally be reached on Monday-Friday 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diane Lee can be reached on (571)272-2399. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/William C. Dowling/
Primary Examiner, Art Unit 2851

/RYAN HOWARD/
Examiner, Art Unit 2851
8/19/2009